

Dep't of State

OUTGOING
TELEGRAM
2792

PAGE 01 STATE 249264
ORIGIN ARA-15

AK291

INFO OCT-00 ADS-00 HA-05 SY-05 SS-15 NSCE-00 SP-02
L-03 INR-10 CIAE-00 DODE-00 SSO-00 INRE-00 /055 R

DRAFTED BY ARA/ECA: MMADAMS, JR.: MAS
APPROVED BY ARA: VPVAKY
ARA: SDEATON
ARA/ECA: CWRUSER
HA: MSCHNEIDER (SUBS)
SY: GHARVEY (SUBS)

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O 220107Z SEP 79 ZFF4
FM SECSTATE WASHDC
TO AMEMBASSY BUENOS AIRES NIACT IMMEDIATE

STATE 249264

E. O. 12065: GDS - 9/21/85 (VAKY, VIRON P.)

TAGS: SHUM, AR

SUBJECT: RELEASE AND PROTECTION FOR TIMERMAN

REF: BUENOS AIRES 7849

1. - ENTIRE TEXT)

2. WE NOTE EMBASSY'S ASSUMPTION THAT ARGENTINE JUNTA'S MEETINGS MONDAY AND TUESDAY WILL DISCUSS TIMEPMAN CASE AND ARE HOPEFUL THAT SUPREME COURT'S DECISION MIGHT TIP BALANCE IN FAVOR OF DECISION TO RELEASE TIMERMAN AND PERMIT HIM TO LEAVE THE COUNTRY.

3. -WHILE WE RECOGNIZE THAT AMBASSADOR-HAS RAISED TIMERMAN'S CASE NUMEROUS TIMES WITH GOA (MOST RECENTLY WITH VIOLA AND FOREIGN MINISTRY) UNLESS EMBASSY SEES OBJECTION WE SUGGEST THAT AMBASSADOR SEEK APPOINTMENT AS SOON AS POSSIBLE AT AS HIGH A LEVEL AS YOU CONSIDER APPROPRIATE AND URGE TIMERMAN'S RELEASE AND PERMISSION TO LEAVE THE COUNTRY. WE RECOGNIZE THE AMBASSADOR HAS TENTATIVE APPOINTMENT TO SEE GENERAL VIOLA ON WEDNESDAY, BUT NOTE THAT HIS MEETING WOULD OCCUR AFTER THE JUNTA HAS CONSIDERED THE ISSUE.

4. IN THIS CALL, AMBASSADOR SHOULD ALSO EXPRESS OUR CONCERN FOR TIMERMAN'S PERSONAL SAFETY SHOULD THE MODALITIES OF HIS RELEASE NOT INCLUDE PROVISION FOR HIS PROTECTION DURING THE PERIOD PRIOR TO HIS DEPARTURE FROM THE COUNTRY (ASSUMING THAT HE WOULD WISH TO DO SO). WE ARE COGNIZANT OF YOUR PARAGRAPH 4 WHICH GIVES TIMERMAN'S ESTIMATE THAT, IF GRANTED A PASSPORT, THERE WOULD BE NO PROBLEM. GOA APPARENTLY MAY HAVE CONCERNS OF ITS OWN ABOUT TIMERMAN'S SAFETY.

5. COMMENT: WE WOULD APPRECIATE SOONEST FURTHER DETAILS ON THE SUPREME COURT'S DECISION. WITH THIS DECISION, WHAT IS THE PRESENT LEGAL AND PRACTICAL STATUS OF TIMERMAN'S CASE? HAS TIMERMAN NOW BEEN FULLY ABSOLVED BY THE ARGENTINE JUDICIAL SYSTEM? IS THERE STILL SOME LEGAL BASIS ON WHICH HE COULD BE HELD? WHAT IN THE EMBASSY'S VIEW IS THE PRESENT STATE OF PLAY WITHIN THE ARGENTINE REGIME? PLEASE ADVISE.

6. INSTRUCTIONS CONCERNING POSSIBLE ASYLUM FOLLOW SEPTTEL. VANCE

ARGENTINA PROJECT (S200000044)

U.S. DEPT. OF STATE, A/RPS/IPS

Margaret P. Grafeld, Director

(X) Release () Excise () Deny

Exemption(s):

Declassify: () In Part (X) In Full

() Classify as () Extend as () Downgrade to

Date Declassify on Reason

82 D103

Box 17404